

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Ackerly, et al. Serial No.: 10/553,491 International Filing Date: April 16, 2004 For: COMPOSITIONS AND METHODS RELATING TO STOP-1	Group Art Unit: 2131 Examiner: not yet assigned Confirmation No: 1304 CUSTOMER NO: 09157 This paper is being filed with EFS-Web on October <u>18</u> , 2007
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TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response mailed September 21, 2007, Applicants submit the following:

1. The Notice indicated that the current oath or declaration was not in compliance with 37 CFR 1.497(a) and (b), in that the first inventor's name is different from the name on the international application. Therefore, Applicants submit herewith a Supplemental Combined Declaration and Power of Attorney executed by Heidi Ackerly, the first named inventor in international application PCT/US04/11793.
2. The Notice indicated that the application did not contain a statement as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d). Applicants respectfully submit that an appropriate statement was included in the "Remarks" section of the Preliminary Amendment, filed April 18, 2007, which accompanied the Sequence Listing filed in .txt format with EFS-Web on that date. Nonetheless, Applicants submit herewith a Statement Regarding the Sequence Listing.
3. The Notice indicated that the content of the computer readable form of the Sequence Listing did not comply with the requirements of 37 CFR 1.822 and/or 1.823. The Notice indicated that a

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marked-up copy of the "Raw Sequence Listing" was attached to the Notice, indicating the nature of the noncompliance. However, no such copy was attached to the Notice. Applicants contacted the OIPE and found that the sequence listing is indeed in compliance with 37 CFR 1.822 and/or 1.823. In addition, Applicants hereby submit a copy of an email from Anne-Marie Corrigan from "STIC" sent to Christine Washington of the USPTO stating that "the SCORE-processed Sequence Listing for 10/553,491 has no errors."

Respectfully submitted,
GENENTECH, INC.

Date: October 18, 2007

By: Danielle Pasqualone
Danielle M. Pasqualone
Reg. No. 43,847
Telephone No. (650) 467-0594

From: Corrigan, Anne-Marie [Anne-Marie.Corrigan@USPTO.GOV]
Sent: Tuesday, October 02, 2007 11:32 AM
To: Washington, Christine
Cc: johnson.ann@gene.com
Subject: 9/21/2007 Notice Regarding 10/553,491

Ms. Washington:

Ms. Ann Johnson of Genentech just phoned the STIC Sequence Help Desk regarding the Notice for 10/553,491; specifically, she asked about the item on page 2 (of the Notice) stating that the computer readable form was non-compliant.

I checked the 5/16/07 STIC-annotated sequence listing in IFW; although the cover sheet states "Sequence Listing was accepted with existing errors," the sequence listing is non-errored. The "with existing errors" denotes a STIC edit to the General Headers section at the beginning of the Sequence Listing. SCORE Support processed this sequence listing at the beginning of their computer readable form-processing stage; due to several applicant/examiner questions regarding the "with existing errors" comment, STIC subsequently asked the SCORE programmers to change the wording.

Again, as stated above, the SCORE-processed Sequence Listing for 10/553,491 has no errors.

Please contact me at the telephone number below if you have any questions.

Anne-Marie Corrigan

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